

**From:** [Ivry Johnson](#) on behalf of [R9FOIA@epa.gov](mailto:R9FOIA@epa.gov)  
**To:** [Johnson, Ivry](#)  
**Subject:** Fw: Official records request  
**Date:** Friday, November 15, 2013 2:49:51 PM

---

----- Forwarded by Ivry Johnson/R9/USEPA/US on 11/15/2013 02:49 PM -----

From: "hswriter@frontiernet.net" <hswriter@frontiernet.net>  
To: R9FOIA@EPA, R9.Info@EPA, R9AirPermits@EPA, "bwalker@co.shasta.ca.us" <bwalker@co.shasta.ca.us>, Kara Christenson/R9/USEPA/US@MSO365, Celeste <mysecretfires@gmail.com>, "marily-lobo@hotmail.com" <marily-lobo@hotmail.com>, "mahalo3366@yahoo.com" <mahalo3366@yahoo.com>, Deborah Jordan/R9/USEPA/US@MSO365, Omer Shalev/R9/USEPA/US@MSO365, "rob@wildcalifornia.org" <rob@wildcalifornia.org>, "rob@redwoodrob.com" <rob@redwoodrob.com>, "thebiomassmonitor@gmail.com" <thebiomassmonitor@gmail.com>, "Wsloan@mofo.com" <Wsloan@mofo.com>,  
Date: 11/09/2013 03:50 PM  
Subject: Official records request

---

## FREEDOM OF INFORMATION REQUEST

November 9th, 2013

FOIA Officer Ivry Johnson  
Environmental Protection Agency  
75 Hawthorne St  
San Francisco, CA 94105  
(415) 947-8000  
(415) 947-3553 (fax)  
[r9.info@epa.gov](mailto:r9.info@epa.gov)

RE: Expedited FOIA request w/fee waiver

Dear Ms. Johnson,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.) and the Freedom of Information Act (5 U.S.C. subsection 552); and on behalf of Citizens For Clean Air, I am requesting the following documents:

All communication inside and outside your agency from July 13th, 2013 to November 8th, 2013. Specifically all communication in any form with Sierra Pacific Industries regarding your agency's intent to circulate a petition for the proposed permit 'modification' for Sierra Pacific Industries-Anderson released November 8th, 2013.

Any new construction that classifies as a new source of hazardous pollutant under the Clean Air Act must conduct and circulate an environmental study on the project. Please provide a copy of EPA Region 9's Environmental Impact Statement for the project as well as documentation of when it was available for review and the notices

published.

Do to recent changes in the law, please be sure to include the section of the study regarding CO2/greenhouse gas emissions.

In the Notice of Intent released November 8th, 2013, the proposed action states Region 9 proposes to “authorize air pollutant emissions from the expansion of a facility operated by Sierra Pacific Industries-Anderson Division”

**Proposed Action:** The United States Environmental Protection Agency (EPA) Region 9 provides notice of EPA Region 9’s proposed action to authorize air pollutant emissions from the expansion of a facility operated by Sierra Pacific Industries-Anderson Division (SPI or SPI-Anderson). EPA Region 9 is proposing a modification of the Prevention of Significant Deterioration (PSD) permit for this facility that would grant conditional approval, in accordance with the PSD regulations (40 CFR 52.21), to SPI to construct and operate a new cogeneration unit and ancillary equipment at its existing lumber manufacturing facility in Anderson, California.

When Sierra Pacific Industries introduced this project in 2009, they had planned to build a brand new facility/source of emission. Please provide any documents that show changes in the project from new construction to an 'expansion'.

I ask that this FOIA be expedited because the information is timely for our upcoming comments and any future appeals.

I ask that you provide these copies by email at [hswriter@frontiernet.net](mailto:hswriter@frontiernet.net). (paper if email is not available).

I also ask for a determination on this request within 20 days as required by law.

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested.

In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

"Congress was particularly concerned that agencies were using search and copying costs to prevent critical monitoring of their activities: 'Indeed experience suggests that agencies are most resistant to granting fee waivers when they suspect that the information sought may cast them in a less than flattering light or may lead to proposals to reform their practices. Yet that is precisely the type of information which the FOIA is supposed to disclose, and agencies should not be allowed to use fees as an offensive weapon against requesters seeking access to Government information...' -132 Congress Rec. S14298 Senator Leahy

I ask that you waive any fees. Citizens for Clean Air is a well-established grass roots organization with a history of disseminating information to the wider community. Citizens for Clean Air not only shares information with a wide network, we always make ourselves available to explain the information if requested. This gives the wider community a hands-on understanding of how their government works per the fee waiver requirements.

If I can provide any clarification that will help expedite my request, please contact me at (530) 472-1355.

Thank you for your time and attention to this matter.

Sincerely,

Heidi Strand  
Co-Chair, Citizens for Clean Air  
P.O. Box 172,  
Whitmore, CA 96096  
(530) 472-1355 [hswriter@frontiernet.net](mailto:hswriter@frontiernet.net)